

Kamehameha Schools Faculty Association

P.O. Box 894163, Mililani HI 96789

KSFSA has some new Members

Aloha and mahalo to the KSFSA membership for allowing us to be a part of your ‘ohana. We are the teachers from Kamehameha Schools Early Childhood Education Division. We teach preschool children three and four years of age and our classrooms are located throughout the state of Hawai‘i. We have a total of seventy-seven plus classrooms, divided into eight regions according to location. The regions are: East and West Hawai‘i on the Big Island of Hawai‘i, Maui, Kaua‘i, Honolulu, Ko‘olauloa, Ko‘olaupoko/Waimānalo (includes Moloka‘i) and Wai‘anae on O‘ahu.

Our reasons for seeking union affiliation were many, but our main goals were for representation and due process. Joining KSFSA was the most logical way for us to go since we work for the same organization but more importantly, we are classified the same as KS teachers — we are all on Salary Schedule A. This is what led to the decision to unionize.

For at least the past four years, the Preschool Division has been working with a budget that has been reduced each year. The announcement that the new direction of Kamehameha Schools is to focus on Early Childhood Education and expand the ECE program should have been music to our ears, except the expansion would have to be funded with the existing reduced budget. This has caused great concern throughout ECE. One of the concerns was the rumor that ECE teachers’ qualifications for new hires would be lowered from a bachelor degree to an associate degree.

This rumor was well founded. During the on-going dialogue on this subject, the teachers’ qualification issue came up as something that was considered by the former CEO and was never taken off the agenda. This meant that new teachers could be hired at a lower pay scale instead of the Salary Schedule A that we are now on. A major concern among teachers was that this plan would not maintain the integrity and high standards of our program. Our fears were intensified when a teacher’s position was posted on the KS Internal Vacancies web site with the salary listed as SR-E10. This came at the same time as the announcement of the reduction in the KS work force of thirty two (32) people in March, some of whom worked very closely with ECE staff.

This appeared to be the first wave of work force reduc-

tion with more to follow. For those at ECE who have been with KS for more than ten years, it was like a flash back to 1995 when whole programs were cut and staff learned about the elimination of their jobs for the first time from the news media and the evening news. All these events fueled the fear and uncertainty mounting within the ECE program. When communications were made to organize, it was almost effortless. People were waiting for something to come along that they could count on to let their voices be heard.

Several teachers made inquiries with the president of KSFSA, Larry McElheny about the union and what ECE teachers needed to do to formally request to join KSFSA. According to Mr. McElheny, he needed to bring our inquiry to the KSFSA Representative Assembly meeting, scheduled for Wednesday April 13. He also needed to talk to the KSFSA’s attorney, Dean Choy for his legal expertise. A formal letter of inquiry on behalf of the ECE teachers was sent to Mr. McElheny as a follow-up to the phone conversations, so he could formally present our request. Meanwhile, we made contact with Dean Choy who sent us information on unions as well as the authorization forms for the teachers to sign, designating KSFSA as their collective bargaining agent.

After we received a strong vote of support from KSFSA at their meeting on Wednesday, April 13, we had the authori-

Keep your calender open for the KSFSA fall general membership meeting — December 6. Show your appreciation for the time and efforts of Executive Board and Grievance Committee members.

This issue is dedicated to
Harriet Brundage
 and
Sally Aall
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Preschool teachers join KSFA (continued)

zation papers distributed and by Friday, April 15, they started arriving at Dean Choy’s office.

Once we received word of KSFA’s vote to support our organizing efforts, a groundswell of grassroots support emerged to show our support for unionizing. Within a week we had the 30% of the authorization papers required to file the petition for a vote at the attorney’s office. There were a total of 65 signed authorizations received. After the petition was filed on April 26 a 5/5/05 hearing date was set. KS requested the hearing to be rescheduled from 5/5/05 to 5/12/05. We could only surmise that KS needed time so they could pay us a friendly visit .

Sure enough, every region was visited by the CEO, Dee Jay Mailer, Charlene Hoe and whoever else they could muster, to talk about our concerns and the reasons why we want to unionize. On 5/12/05 when Dean Choy met with KS attorneys at the National Labor Relations Board regarding the election, KS posed two objections to our petition: The first issue was their contention that the presence and supervision of teaching assistants in our classrooms made all preschool classroom teachers “supervisors” under the labor laws. The second issue involved geographic scope. Since KSFA is O’ahu-based, KS argued that only O’ahu preschool teachers should be permitted to join, rather than the state-wide scope we were seeking. Since KS’s objections were not known to our attorney before the hearing on 5/12/05, Mr. Choy withdrew our petition and re-filed later that same day in order to get another hearing date.

A new hearing date was scheduled for 5/27/05, at which time four teachers (one from each of the islands of Maui, Kauai, the Big Island and O’ahu) were subpoenaed to testify for our side and the Dean of ECE for KS. Testimony was given about the uniform treatment of teachers, the logic of a state-wide membership, and about the collaborative relationship (rather than supervisory relationship) between teachers and their teaching assistants.

A decision dated June 24, 2005, was made in our favor on both counts and direction given for the election to

take place. On July 7, 2005 The Acting Regional Director of the National Labor Relations Board directed a mail ballot election. Mail ballots were to be mailed out by Friday, July 22, 2005 and returned no later than Monday, August 8, 2005. This would have been ideal since this would have been sent to our home addresses and we could send in our votes before we officially return to work on July 31. But it was not to be.

KS once again wanted to postpone the election to August 19 when everyone would be in Honolulu for the ECE In-service and service awards. This was an idea KS rejected when we proposed it at the hearing claiming that it would be a distraction to our activities. Between June and August, we were inundated with emails and letters to our homes from the administration trying to convince us not to unionize. The election took place on August 19 with the results being 59 yes votes and 8 no votes to join the union.

As it turned out, KSFA gave us the ultimate gift of not only allowing us to be a part of their union but PAID for our legal expenses. Because others extended the same gesture to them when they first organized, they

extended the same gracious gesture to us.

One thing that we are proud of is the fact that we were able to organize purely at the grassroots level without any pep talks, campaign rallies or mailings from KSFA or any of their leadership. As a matter of fact, a few of us met the president and vice president of KSFA in person for the first time, on the day of the election.

To summarize, our organizing effort could be looked at as nothing short of miraculous. The length of time it took from the first inquiry to the election was five and a half months. Even though we were scattered throughout the state, we were able to get the word out via cyberspace. We are proof positive of the far-reaching power of computer technology.

— members of the KSFA Preschool Unit

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Viewpoints

Who Needs an Advocate?

Items on these pages do not represent official positions taken by KSFA

“Do it for the kids.” It seems like everyone these days is claiming to be a student advocate. So Follmer, what’s your problem? We’re a school. What’s wrong with sticking up for the kids? The problem (thank you for asking) is that it is not obvious what helps students the most and (therefore) how best to advocate for them.

Besides, what do we really mean by “student advocate”? Let’s consider a sticky situation where a student complains about a teacher. Should an “advocate” help the student make a case against the teacher by suggesting the most effective course of action or how to word a complaint? What actions, attitudes and assumptions are appropriate for advocates to take when attempting to resolve issues? Does being an advocate imply a bias toward who to believe or how to weigh evidence? If an advocate is conducting a complaint investigation and takes pride in being a shrewd judge of character with listening skills that separate fact from fiction, what chance does justice have? Obviously, there are problems with just “sticking up” for the kids.

To clarify the problems with being an advocate and to find the proper use for this role, we need to examine how advocates can serve the purpose of a school. I maintain that the primary reason for sending kids to school is that schools offer something parents cannot provide as well. That something is expertise. We are good at something they are not. We help students learn more in certain fields than their parents can. The key word is “primary.”

Certainly, our school benefits students in many ways besides providing valuable academic and physical skills. Obviously, we have a great opportunity and obligation to positively influence values and character. But, those are not the primary reasons for sending a child to school because they are primarily the responsibility of parents or guard-

ians who may have equal or greater expertise and insight in those issues. So, at the very least, the proper role of an advocate is to support the mission of the school: learning.

Teachers are the primary resource in support of learning. Almost everything we do is “for the kids” and for learning. Our position makes us the primary advocates for student education. Other KS employees serve student education mostly through us. But everyone at KS serves students either directly or indirectly. The entire KS system is designed for the benefit of kids. We are all student advocates.

Why would anyone claim that as their special domain and presume that they are more committed to students than someone else? It’s a disturbing question. To be kind, some may not realize how extensive our student support system is and just invade or take over the responsibility of others. Another well-intended but less kind explanation is that some people believe that students need their help not only because of a student’s youth, inexperience and other disadvantages, but also because they perceive that others either have a lesser concern for the welfare of students or are insensitive to their needs. While it is possible that there are a few who are insensitive or incompetent, this perception is not accurate about the vast majority of KS employees who are dedicated and talented.

And finally, an explanation with no redeeming features at all, what if “doing it for the kids” is just an excuse to advance a personal agenda? The Majority Trustees used to justify all sorts of self serving decisions by righteously proclaiming it was “for the kids.” Discretion and job security dictated that these claims go unchallenged.

Another even worse example of pseudo-student-advocacy: what if an “advocate” plants the
(continued on page 6)

Write down your concerns, opinions or questions and give them to your rep. — they will be passed around at the next meeting. Close the loop! Your opinion counts.

KSFA REPRESENTATIVE ASSEMBLY

UNIT KES
Moana Leong, Bette Savini, Lynn Tagami, Diane Tanner-Cazinha

UNIT 7/8
Mike Ching, Don Kroessig, Grace Omura, Renee Teraoka

UNIT 9/10
'Alohi Ae'a, Bill Follmer, Tom Gardapee, Larry McElheny, Warren Takata, Becky Tesch

UNIT 11/12
Jan Becket, Theone Chock, Jeremy Dulatre, Claire Ho, 'Umi Perkinsl, Diana Sanchez

**EXECUTIVE BOARD MEMBERS
— OUR NEGOTIATING TEAM—**

President: Larry McElheny
 Vice President: Bill Follmer 488-0767
 Treasurer: Don Kroessig
 Secretary: Moana Leong

Your Weingarten Rights

I believe this discussion could lead to my being disciplined. I therefore request that a union representative be present to assist me at this meeting. I further request reasonable time to consult with my union representative regarding the subject and purpose of the meeting. Please consider this a continuing request. Without proper representation, any discussion you require me to participate in from this point on and any statements you may derive therefrom I shall regard as coerced in willful disregard of my rights as set forth by the Supreme Court of the United States. Nor do I consent to any searches or tests affecting my person, property, or effects without first consulting with my union representative.

New faculty members (and a few old ones): please consider filling out and sending this form to Human Resources. Auto dues deduction saves our treasurer time and effort.

AUTHORIZATION FORM FOR DEDUCTION OF UNION DUES/SERVICE FEE OUT OF WAGES

I, _____, an employee of Kamehameha Schools ("KS") voluntarily agree to have KS take out of my wages regular monthly dues as established by the Kamehameha Schools Faculty Association ("KSFA") in accordance with its Constitution and Bylaws, or a regular monthly Service Fee not to exceed KSFA's regular monthly dues for its members as certified to you in writing by KSFA, and to turn over to KSFA any and all such monies on the following conditions:

1. This authorization shall become effective upon the date set forth below and cannot be cancelled for a period of one year from this date or until the termination of the existing collective bargaining agreement between KS and KSFA, whichever occurs sooner, unless cancelled sooner as provided in Section 2 below.

2. I agree and direct that this authorization shall be irrevocable for successive periods of one year each, or for the period of each succeeding applicable collective bargaining agreement between KS and KSFA, whichever shall be shorter unless:

(a) I cancel this authorization by written notice to KS at any time or within ten days after the expiration of any such one year period; or

(b) In the case of the expiration of any applicable collective bargaining agreement between KS and KSFA during any such one year period, I cancel this authorization by written notice to KS at any time during the period following the expiration of the applicable collective bargaining agreement and ten days after the effective date of any new agreement.

3. This authorization is subject to sufficient wages being available to comply with all other required deductions and existing federal and state laws. This authorization shall be suspended during any period in which there is no collective bargaining agreement in effect between KS and KSFA. This authorization shall end if my employment with KS ends. This authorization is made pursuant to the provisions of Section 302(c) of the Labor Management Relations Act of 1947.

Date: _____ Employee Signature: _____

—

Mailing Address: _____

SS# _____

—

Receipt of the foregoing authorization is acknowledged:

Viewpoints

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Who needs an advocate? (continued)

seed of an idea in the fertile minds of students, sprinkles them with selected facts, beams praises on correct responses, and watches their agenda grow to become a “student-centered” movement. Or, what if there was a strict teacher who fell out of favor with his supervisor who was also a student advocate. In a pseudo-defense of kids, how hard would it be to coax a few incriminating comments from some disgruntled students if someone helped them with the words and promised them anonymity?

We all know students that live two lives. One is the real one that they reveal in the classroom. (An extreme but not rare example: Student A sleeps in class, doesn’t do homework and fails test.) The other life is the one they play before trusting parents and advocates. (Continuing the same example: Student A tells the advocate that he tried his best but his teacher hates him and gave him an “F” in spite of his valiant effort and continues to embellish his stories with other fantasies.) That’s all it would take to terminate some teachers.

These are all potential dangers when people assume advocacy roles. Whether these “what ifs” are merely cautions or actual injustices will be the subject of future campus discussions and articles. Obviously, I believe there has been abuse of advoca-

cacy at Kamehameha and that begs the question of what is its proper role on this campus.

Unlike the legal system where every citizen needs an advocate because their basic rights are threatened by an all powerful government, a private school environment is different and doesn’t require that every accused have an advocate. In this relationship where attendance or employment is voluntary, the consequences are discipline or the withdrawal of a benefit or employment. Certainly, the employer is charged with a moral and legal responsibility to develop a system of rules so that the accused are treated fairly.

However, no one (i.e. not students, teachers or administrators) should have an advocate merely because of their position or category. Students and teachers need to know that decisions regarding their fate will be based

on accurate information and that if they are right or innocent, then they will have an administrator as an advocate who will defend them to the degree they are right or innocent. Sadly, that is not the case now. While some student advocates are a little over zealous in the defense of kids, counselors and administrators are not unaware of student propensities to manipulate facts and ignorance to save their okoles. The real problem is that when teachers and principals differ, a teacher’s appeal to a higher authority will fall on deaf ears regardless of the merits of the case. The answer to the title question of this article, “Who Needs an Advocate,” is “teachers.”

— Bill Follmer, Unit 9/10

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SALLY AALL

KSFA lost a staunch early supporter and continued friend during the last week of September when Sally Sample Aall, longtime Honolulu resident, passed away in Los Angeles.

Sally Aall conveyed her messages of aloha and solidarity in quiet ways and she was thus unknown to most of the teachers who, in the late 1990s, were battling an oppressive trustee majority regime behind “lead trustee for education” Lokelani Lindsey.

With continued threats on Nā Kumu, its leadership and membership, it became apparent to the faculty that only a union with federal protections would offer the security and protections we knew we needed. Friends from the larger community as well as members of local unions sent checks large and small as an expression of solidarity.

Early on, Mrs. Aall sent us a check for \$5,000 to help start up our legal fund, assuring us that more money would be forthcoming if our teachers were further threatened and needed legal help. Her initial large cash donation was the seed money that helped to start up our fund raising efforts.

To thank her for her donation, a number of Nā Kumu folks hosted her and husband at our campus and shared with them experiences of students and class work. They visited Performing Arts and received a warm welcome of dances and chants from the Hawaiian ensemble. They then joined a 5th year Hawaiian class and visited Midkiff Learning Center where they chatted with librarians and students. As recently as this past year they both reminisced fondly to me about their day with teachers and students.

Sally Aall was a dear friend and supporter of teachers. We say farewell with much aloha.

— Kāwika Eyre, Unit 9/10

Viewpoints

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HARRIET BRUNDAGE

Always one with a witty remark, Harriet Brundage, who passed away last March, had this to say of how her wishes were to be carried out: “the less hoopla, the better.”

And so she passed, with no service, almost no notice. She had left Kamehameha, too, several years earlier, retiring during the summer, catching even her closest friends by surprise. It doesn't seem quite right that the record should not show how much she meant to so many, so I would like to share just a few thoughts, based on my friendship with her for more than 40 years.

In her 37 years at Kamehameha, she brought energy and wit to her English classes; wisdom and experience and dedication to her department; and, to the community, a record of involvement and accomplishment that reached far beyond Kamehameha.

A tireless volunteer during and beyond her years of teaching, she was the driving force behind numerous events and projects of the Hawaii Council of Teachers of English, a leader and organizer of conferences for both HCTE and the National Council of Teachers of English, and a contributor of time, energy and financial support to local arts and educational organizations -- Hawaii Literary Arts Council, Ka Hui Heluhelu, Hawaii International Film Festival, to mention just a few. Her ability to do all of these things, and to always be willing to do more, amazed others.

There are many now, as there have always been, who give of themselves to make things happen, in their classrooms, in the school, in the community. Let us be aware of them, and appreciative of their efforts, too. Harriet was one such person, and she is missed.

— Darrell Schuetz, Unit 11/12